



General Assembly

February Session, 2006

Raised Bill No. 5666

LCO No. 2462

* ____HB05666GL____031406____*

Referred to Committee on General Law

Introduced by:
(GL)

***AN ACT MODIFYING BEER PACKAGING FOR CONSUMPTION ON
AND OFF PREMISES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-63 of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2006*):

4 (a) No holder of any manufacturer, wholesaler or out-of-state
5 shipper's permit shall ship, transport or deliver within this state, or sell
6 or offer for sale, any alcoholic liquors unless the name of the brand,
7 trade name or other distinctive characteristic by which such alcoholic
8 liquors are bought and sold, the name and address of the manufacturer
9 thereof and the name and address of each wholesaler permittee who is
10 authorized by the manufacturer or his authorized representative to sell
11 such alcoholic liquors are registered with the Department of Consumer
12 Protection and until such brand, trade name or other distinctive
13 characteristic has been approved by the department. Such registration
14 shall be valid for a period of three years. The fee for such registration,
15 or renewal thereof, shall be one hundred dollars for out-of-state
16 shippers and three dollars for Connecticut manufacturers for each

17 brand so registered, payable by the manufacturer or his authorized
18 representative when such liquors are manufactured in the United
19 States and by the importer or his authorized representative when such
20 liquors are imported into the United States. The department shall not
21 approve the brand registration of any fortified wine, as defined in
22 section 12-433, which is labeled, packaged or canned so as to appear to
23 be a wine or liquor cooler, as defined in section 12-433.

24 (b) No manufacturer, wholesaler or out-of-state shipper permittee
25 shall discriminate in any manner in price discounts between one
26 permittee and another on sales or purchases of alcoholic liquors
27 bearing the same brand or trade name and of like age, size and quality,
28 nor shall such manufacturer, wholesaler or out-of-state shipper
29 permittee allow in any form any discount, rebate, free goods,
30 allowance or other inducement for the purpose of making sales or
31 purchases. Nothing in this subsection shall be construed to prohibit
32 beer manufacturers, wholesalers or out-of-state shipper permittees
33 from differentiating the manner in which their products are packaged
34 on the basis of on-site or off-site consumption.

35 (c) For alcoholic liquor other than beer, each manufacturer,
36 wholesaler and out-of-state shipper permittee shall post with the
37 department, on a monthly basis, the bottle, can and case price of any
38 brand of goods offered for sale in Connecticut, which price when so
39 posted shall be the controlling price for such manufacturer, wholesaler
40 or out-of-state permittee for the month following such posting. For
41 beer, each manufacturer, wholesaler and out-of-state shipper permittee
42 shall post with the department, on a monthly basis, the bottle, can and
43 case price, and the price per keg or barrel or fractional unit thereof for
44 any brand of goods offered for sale in Connecticut which price when
45 so posted shall be the controlling price for such brand of goods offered
46 for sale in this state for the month following such posting. Such
47 manufacturer, wholesaler and out-of-state shipper permittee may also
48 post additional prices for such bottle, can, case, keg or barrel or
49 fractional unit thereof for a specified portion of the following month

50 which prices when so posted shall be the controlling prices for such
 51 bottle, can, case, keg or barrel or fractional unit thereof for such
 52 specified portion of the following month. Notice of all manufacturer,
 53 wholesaler and out-of-state shipper permittee prices shall be given to
 54 permittee purchasers by direct mail or advertising in a trade
 55 publication having circulation among the retail permittees except a
 56 wholesaler permittee may give such notice by hand delivery. Price
 57 postings with the department setting forth wholesale prices to retailers
 58 shall be available for inspection during regular business hours at the
 59 offices of the department by manufacturers and wholesalers until three
 60 o'clock p.m. of the first business day after the last day for posting
 61 prices. A manufacturer or wholesaler may amend his posted price for
 62 any month to meet a lower price posted by another manufacturer or
 63 wholesaler with respect to alcoholic liquor bearing the same brand or
 64 trade name and of like age, vintage, quality and unit container size;
 65 provided that any such amended price posting shall be filed before
 66 three o'clock p.m. of the fourth business day after the last day for
 67 posting prices; and provided further such amended posting shall not
 68 set forth prices lower than those being met. Any manufacturer or
 69 wholesaler posting an amended price shall, at the time of posting,
 70 identify in writing the specific posting being met. All wholesaler
 71 postings for the following month shall be provided to retail permittees
 72 not later than the twelfth day of the month prior to such posting.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2006</i>	30-63
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GL ***Joint Favorable***